

REMARKS

Claims 1-7, 10-16, 19 and 21-30 have been examined and are all the claims pending in the present application.

I. Claim Rejections - 35 U.S.C. § 103

Claims 1-7, 10-16, 19 and 21-30 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Dutta et al. (hereafter “Dutta”) (U.S. 6,918,066) in view of Manda et al. (hereinafter “Manda”) (U.S. Pub. No. 2004/0103394). Applicants traverse the rejection based on at least the following reasons.

Applicants submit with this Response a Declaration under 37 C.F.R. § 1.131, signed by the inventors of the present invention, stating that the invention was conceived prior to November 26, 2002 and that due diligence was exercised on constructively reducing the invention to practice from a time prior to November 26, 2002 to the constructive reduction to practice date (i.e., the filing of the Korean Patent Application No. 10-2003-0009078) of February 13, 2003. Therefore, in view of the foregoing, Applicants submit that the subject matter of claims 1-7, 10-16, 19 and 21-30 were invented prior to the filing date of November 26, 2002 of the Manda reference cited in the Office Action. Applicants respectfully request the Examiner to remove the Manda reference from consideration for at least these reasons.

Therefore, Applicants submit that the Examiner may not rely on the Manda reference to reject at least claims 1-7, 10-16, 19 and 21-30 of the present application, as Manda is not prior art under any of the provisions of 35 U.S.C. § 102.

Accordingly, Applicants will not address the Manda reference on the merits, and hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 103(a) rejection of the claims.

RESPONSE UNDER 37 C.F.R. § 1.111
Application No.: 10/761,317

Attorney Docket No.: Q76053

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Ryan F. Heavener
Registration No. 61,512

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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